

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated June 10, 2011, has been received and its contents carefully reviewed.

Claims 1, 5, 16, 28, 29, 32, 35, 38, 46 and 51 are hereby amended. Claims 27 and 34 are canceled without prejudice to or disclaimer of the subject matter contained therein. No new claims are hereby added. Accordingly, claims 1-26, 27-33 and 35-52 are currently pending. Reexamination and reconsideration of the pending claims are respectfully requested.

Rejection under 35 U.S.C. § 112

Claims 5, 16, 38, and 51 are rejected under 35 U.S.C. § 112, second paragraph, as being allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. *Office Action* at p. 2.

Specifically, the Office Action states that claims 5, 16, and 51 recite the phrase “such as” rendering the claim indefinite. Also, the Office Action states that claim 38 recites a limitation “guide rib” with no antecedent basis for the limitation. Without acquiescing to the propriety of the Examiner’s rejection, claims 5, 16, 38, and 51 have been amended to address this rejection. Accordingly, Applicants respectfully request that the 35 U.S.C. § 112, second paragraph, rejection be withdrawn.

Rejection under 35 U.S.C. § 102

Claims 1, 6, 18-19, 21, 41-42, and 44 are rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by U.S. Patent No. 5,905,442 to Mosebrook et al. (hereinafter “Mosebrook”). *Office Action* at p. 2. Applicants respectfully traverse.

Independent claim 1 has been amended herein to recite, *inter alia*, “a case forming an outside appearance of the remote monitor, including a lower case, and an upper case detachably mounted on an upper side of the lower case, the upper case having a window; ... wherein one of the upper case and the lower case includes a rim, and the other one includes a groove in conformity with the rim, and one of the upper case and the lower case includes hooks and the other one includes hook holes in conformity with the hooks.” Accordingly, the upper case 400 and lower case 100 are coupled firmly for protection of infiltration of water.

Mosebrook does not disclose these features. As acknowledged in the office action, Mosebrook does not disclose “the cases including at least a rim and a groove.” *Office Action* at p. 20. Therefore, Mosebrook does not disclose “a case ... wherein one of the upper case and the lower case includes a rim, and the other one includes a groove in conformity with the rim, and one of the upper case and the lower case includes hooks and the other one includes hook holes in conformity with the hooks,” as claimed.

For at least these reasons, claim 1 is patentable over Mosebrook. Claims 6, 18, 19, 21, 41, 42 and 44 depend from, directly or indirectly, and add further feature features to independent claim 1. Thus, it stands to reason that claims 6, 18, 19, 21, 41, 42 and 44 are likewise patentable over Mosebrook. Accordingly, Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. §102(b) rejection of claims 1, 6, 18, 19, 21, 41, 42 and 44.

Rejections under 35 U.S.C. § 103

Claims 2-5, 7-17, 20, 22-40, 43, and 45-52 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over either Mosebrook alone or Mosebrook in view of a combination of one or more of U.S. Pub. Pat. App. No. 2003/0193402 to Post et al. (hereinafter “Post”), U.S. Patent No. 5,453,685 to Gould et al. (hereinafter “Gould”), U.S. Pub. Pat. App. No. 2003/0133269 to Cox et al. (hereinafter “Cox”), U.S. Pub. Pat. App. No. 2001/0035442 to Yokobori (hereinafter “Yokobori”), U.S. Patent No. 5,552,970 to Takezawa et al. (hereinafter “Takezawa”), U.S. Patent No. 7,248,169 to Minamura (hereinafter “Minamura”), U.S. Patent No. 3,482,323 to Hamel et al. (hereinafter “Hamel”), U.S. Pub. Pat. App. No. 2002/0104373 to Ishihara et al. (hereinafter “Ishihara”), U.S. Patent No. 3,917,917 to Murata (hereinafter “Murata”), U.S. Pub. Pat. App. No. 2004/0129544 to Lam et al. (hereinafter “Lam”), U.S. Patent No. 6,271,763 to Hur (hereinafter “Hur”), U.S. Pub. Pat. App. No. 2006/0017583 to Hess et al. (hereinafter “Hess”), U.S. Patent No. 4,594,007 to Brandenburg (hereinafter “Brandenburg”), U.S. Pub. Pat. App. No. 2002/0135487 to Bowling (hereinafter “Bowling”), U.S. Patent No. 5,031,791 to Serio et al. (hereinafter “Serio”), U.S. Pub. Pat. App. No. 2005/0046556 to Katou (hereinafter “Katou”), U.S. Patent No. 4,391,575 to Osrow (hereinafter “Osrow”), U.S. Patent No. 4,941,174 to Ingham (hereinafter “Ingham”). *Office Action* at p. 5-29. Claims 27 and 34 have been canceled herein rendering the rejection thereto moot. As to the remaining claims, Applicants respectfully traverse.

Claims 2-5, 7-17, 20,22-26, 28-33, 35-40, 43 and 45 depend from, directly or indirectly, and add further features to independent claim 1. As discussed above, Mosebrook does not disclose or suggest, “a case forming an outside appearance of the remote monitor, including a lower case, and an upper case detachably mounted on an upper side of the lower case, the upper case having a window; ... wherein one of the upper case and the lower case includes a rim, and the other one includes a groove in conformity with the rim, and one of the upper case and the lower case includes hooks and the other one includes hook holes in conformity with the hooks,” as recited in independent claim 1.

The Office relies on Bowling to cure the deficiencies of Mosebrook and to teach a groove and rim construction technique. Although Bowling discloses groove 26 in lid 12 corresponds to rim 20 of base 10, Bowling does not teach or suggest, “one of the upper case and the lower case includes hooks and the other one includes hook holes in conformity with the hooks,” as claimed.

To cure the deficiencies of Mosebrook and Bowling, the Office relies on Hur to teach “one of the upper case and the lower case includes hooks and the other one includes hook holes in conformity with the holes.” *See Office action* at p. 18. Applicants would like to point at that it is not clear which elements of Hur the Office regards as allegedly disclosing the hooks and hook holes in conformity as claimed. Assuming that the Office regards hook portion **140h (or 240 as shown in Fig. 17)** of Hur as the alleged hook, Hur teaches that each arm **140** has a hook portion **140h** captures the edge of the board and abutment portions. *See col. 6; lns. 46-50.* Further, assuming that the Office regards slot **140s** of Hur as the alleged hook hole, Hur teaches that slot **140s** in the base is adjacent the juncture of each hook portion. *See col. 6; lns. 50-54; Fig. 14.* Thus, Hur merely discloses a hook portion that captures an edge and a slot that is adjacent to the hook, rather in conformity with the hook. Therefore, Hur does not teach or suggest, “one of the upper case and the lower case includes hooks and the other one includes hook holes in conformity with the holes.”

For at least this reasons, Mosebrook, Bowling and Hur, alone or in combination, do not teach or suggest each and every feature of independent claim 1. Claims 2-5, 7-17, 20, 22-26, 28-33, 35-40, 43 and 45 depend from, directly or indirectly, and add further features to independent claim 1. Thus, claims 2-5, 7-17, 20, 22-26, 28-33, 35-40, 43 and 45 are not *prima facie* obvious and are patentable over the cited references. Accordingly, Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. §103(a) rejection of claims 2-5, 7-17, 20, 22-26, 28-33, 35-40, 43 and 45.

Similar to claim 1, independent claim 46 as amended recites, *inter alia*, “wherein one of the upper case and the lower case includes a rim, and the other one includes a groove in conformity with the rim, and one of the upper case and the lower case includes hooks and the other one includes hook holes in conformity with the hooks.” As discussed above with regards to claim 1, Mosebrook, Hur and Bowling, alone or in combination, do not teach or suggest these features. For the same or similar reasons as claim 1, independent claim 46 is not *prima facie* obvious and is patentable over the cited references. Claims 47-52 depend from and add further features to independent claim 47. Because Mosebrook, Hur and Bowling do not teach or suggest each and every feature of claim 46, claims 47-52 are also not *prima facie* obvious and is patentable over the cited references. Accordingly, Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. §103(a) rejection of claims 46-52.

CONCLUSION

The application is in condition for allowance and early, favorable action is respectfully solicited. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911.

Respectfully submitted,

Dated: September 9, 2011

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